

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In Re application of:

Madaline Chirica, et al.

Application No.: 10/667,289

Filed: September 18, 2003

For: NUCLEIC ACIDS ENCODING  
DCRS5 (as amended)

Examiner: J. Seharaseyon

Art Unit: 1647

Conf. No.: 8664

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Sir:

The materials as listed in the attached form PTO/SB/08 are brought to the Examiner's attention pursuant to the duty of disclosure under 37 C.F.R. § 1.56, § 1.97, and § 1.98.

Pursuant to the USPTO waiver of the requirement under 37 CFR 1.98 (a)(2)(I), copies of cited U.S. patents and patent application publications are not attached.

The attached Form PTO/SB/08 includes commonly assigned U.S. Patent Application Publication Nos. US-2003/082734 (Ser. No. 10/247,463, abandoned) and US-2005/0106673 (Ser. No. 11/016,106, currently pending), both of which claim priority to U.S. Patent Application Ser. No. 09/588,113 (abandoned) and U.S. Provisional Patent Application 60/137,159 (filed 01-June-1999).

Citation of these documents should not be construed as a representation that the documents are in fact material or are in fact prior art with respect to the instant invention. The Examiner should not make any inference relating to the relative pertinence of cited references based upon the order in which the art is presented. Citation of these documents should not be construed as a representation that a search has been made or that more pertinent art may not be in existence.

Applicants request that the Examiner fully consider the art cited in the attached PTO/SB/08 form. Applicants further request that the Patent and Trademark Office list all such art on the front of any patent issuing from this application.

No fee, other than the fee required for a Request for Continued Examination (RCE) is believed to be required with the submission of this Supplemental Information

Disclosure Statement, however, authorization is given to charge any fees necessary for the entry of this RCE and Supplemental Information Disclosure Statement. The fee transmittal form contains authorization to charge our Deposit Account No. 04-1239 for the required fee for such a submission.

Respectfully submitted,

Date: 7 February 2008

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